

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THOMAS J. BEINE,  
Plaintiff

CIVIL ACTION

vs.

MICHAEL J. ASTRUE<sup>1</sup>,  
Commissioner of Social Security,  
Defendant

NO. 10-650

**FILED**

DEC 21 2010

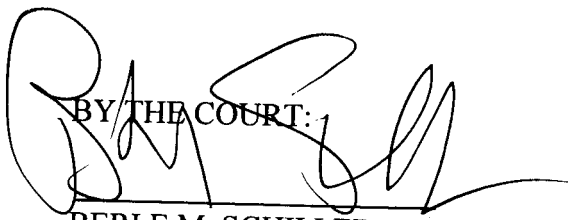
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

**ORDER**

BERLE M. SCHILLER, J.

AND NOW, this <sup>20</sup> day of <sup>December</sup> ~~October~~, 2010, upon consideration of the plaintiff's request for review, and defendant's response to request for review, and after careful review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's Request for Review is DENIED.

BY THE COURT:  
  
BERLE M. SCHILLER, J.

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<sup>1</sup>Michael J. Astrue became Commissioner of Social Security on February 14, 2007. Pursuant to Fed. R. Civ. Pr. 25(d)(1), he is automatically substituted for Jo Anne B. Barnhart as defendant in this matter.